



5209 EAST MARGINAL WAY S. • SEATTLE, WA 98134 • (206) 762-0850
MAILING ADDRESS: P. O. BOX 24067 • SEATTLE, WA 98124-0067
WA CONTRACTOR'S LICENSE #MANSOCC032M1 • FAX (206) 764-8595

LDWSF 12.3.148.1 v.1
10/13/08

RECEIVED
OCT 15 2008
Environmental
Cleanup Office

To: United States Environmental Protection Agency, Region 10
Claire Hong, Remedial Project Manager
Environmental Cleanup Office, ECL-111
1200 Sixth Ave. Suite 900
Seattle, WA 98101

Re: Response to Request for Information Pursuant to Section 104(e) of CERCLA, for the Lower
Duwamish Waterway Superfund Site, Seattle, Washington

EPA Region 10 Superfund

Respondent: Manson Construction Co.
5209 E. Marginal Way So.
Seattle, WA 98134

Releasable

Date: 5/11/2011

Site: Lower Duwamish Waterway, Seattle WA c/o Manson Construction
5209 E. Marginal Way So.
Seattle, WA 98134

Document: 1337592

King County Parcels: 0001600060, 1924049067 & 1924049041

Date: 1976 to Present

1. Respondent Information

a. Provide the full legal name and mailing address of the Respondent.

Manson Construction Co.
P.O. Box 24067
Seattle, WA 98124

b. For each person answering these questions on behalf of Respondent, provide:

Responses collected and prepared by:

John Heckel
Contracts Manager
5209 East Marginal Way South
Seattle WA 98134
Phone: 206.762.0850
Fax: 206-764-8590

Jessica Gibson
Assistant Contracts Manager
5209 East Marginal Way South
Seattle WA 98134
Phone: 206.762.0850
Fax: 206-764-8590

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Manson Construction Co.

USEPA SF



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Historical/Operational Information provided by:

Pat McGarry
Vice President
Northwest Area Manager
5209 East Marginal Way South
Seattle WA 98134
Phone: 206.762.0850
Fax: 206-764-8590

Shawn Hillis
Vice President
Equipment Manager
5209 East Marginal Way South
Seattle WA 98134
Phone: 206.762.0850
Fax: 206-764-8590

c. If Respondent wishes to designate an individual for all future correspondence concerning this Site, please indicate here by providing that individual's name, address, telephone number, and fax number.

John Heckel
Contracts Manager
5209 East Marginal Way South
Seattle WA 98134
Phone: 206.762.0850
Fax: 206-764-8590

d. State the dates during which Respondent held any property interests at or within one-half mile of the above mentioned address.

1953 to Present

Manson Construction Co. currently leases the property at 5209 E. Marginal Way S. from its owner, King County.

Please see Lease Agreement attached as "Exhibit 1.d"

e. State the dates during which Respondent conducted any business activity at or within one-half mile of the above mentioned address.

Manson Construction Co. has been engaged in business activities at this address from 1953 to present.

f. Describe the nature of Respondent's business activities at the above mentioned address or within one-half mile of that address.

Manson Construction Co. has offices at the property and uses the majority of the property for the staging, storage, maintenance, mobilization and demobilization of various marine construction equipment; there is also a dock on the property which Manson Construction Co. uses for the mooring and topside maintenance of various vessels such as barges and tug boats.

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Manson Construction Co.

g. In relation to your answer to the previous question, identify all materials used or created by your activities at the above mentioned address, including raw materials, commercial products, building debris, and other wastes.

In addition to a number of non-hazardous materials, the following materials are stored/generated at the property in question: various types of treated wood material, waste oil, wood debris from projects for disposal, antifreeze, marine paints and thinners.

h. If Respondent, its parent corporation, subsidiaries or other related or associated companies have filed for bankruptcy, provide:

i. the U.S. Bankruptcy Court in which the petition was filed;

N/A

ii. the docket numbers of such petition;

N/A

iii. the date the bankruptcy petition was filed;

N/A

iv. whether the petition is under Chapter 7 (liquidation), Chapter 11 (reorganization), or other provision; and

N/A

v. a brief description of the current status of the petition.

N/A

2. Site Activities and Interests

a. Provide all documents in your possession regarding the ownership or environmental conditions of the property mentioned above, including, but not limited to, copies of deeds, sales contracts, leases, blueprints, "as-builts" and photographs.

Please see: Lease Agreement attached as "Exhibit 1.d"
Environmental Site Assessment of the Duwamish Waterway Properties by
Boateng & Associates, Inc. attached as "Exhibit 2.a"

b. Provide information on the condition of the property when purchased; describe the source, volume, and content of any fill material used during the construction of the buildings, including waterside structures such as seawalls, wharves, docks, or marine ways.

As identified in "Exhibit 2.a," the office building currently occupied by Manson Construction Co. which was built in 1953 and the warehouse currently occupied by Manson Construction was constructed in 1946. A legal description of the parcels can be found in the Lease Agreement attached as "Exhibit 1.d." Historical information regarding the property dating back to 1917 can be found in the Environmental Site Assessment of the Duwamish Waterway Properties by Boateng & Associates, Inc. attached as "Exhibit 2.a." Over the course of its tenancy, Manson Construction has made various improvements to the property, including expanding and modernizing the existing office structure, expanding and modernizing the existing shop and warehouse structures, replacing the existing wharf structure facing Slip 1, installing facilities for barge maintenance and repairs and installing loading facilities to the Duwamish river. Some fill was used at the Cadman yard and the source of this fill is believed to have been clean, native material.

c. Provide information on past dredging or future planned dredging at this site.

The in-water area at the Cadman yard has been dredged three times over the past ten years. Manson performed this permitted dredging work to remove non-hazardous material spilled from Cadman's operations.

d. Provide a brief summary of the activities conducted at the site while under Respondent's ownership or operation. Include process diagrams or flow charts of the industrial activities conducted at the site.

Manson Construction Co. has offices at the property and uses a portion of the property for the staging, storage and maintenance of various marine construction equipment; there is also a dock on the property which Manson Construction Co. uses for the mooring and topside maintenance of various vessels such as barges and tug boats. Manson Construction Co. does not utilize process diagrams or flow charts for its activities.

Manson Construction Co. has been subleasing a portion of the property to Cadman, Inc. since February of 1987 (the "Cadman yard"). Cadman, Inc. operates a cement distribution terminal and redimix facility on the property.

e. Provide all documents pertaining to sale, transfer, delivery, disposal, of any hazardous substances, scrap materials, and/or recyclable materials to this property.

Please see the sample Hazardous Waste Manifest documents attached as "Exhibit 2.e." More complete records are on file with the Department of Ecology.

f. Provide all information on electrical equipment used at the facility, including transformers or other electrical equipment that may have contained polychlorinated biphenyls (PCBs).

Manson Construction Co. has not used, handled, stored or recycled any electrical equipment containing PCBs at the property in question.

g. Provide information on the type(s) of oils or fluids used for lubrication of machinery or other industrial purposes, and any other chemicals or products which are or may contain hazardous substances which are or were used at the facility for facility operations.

Manson Construction Co. stores, handles and/or recycles the following as a part of its facility operations: various treated wood material, waste oil, wood debris from projects for disposal, marine paints and thinners.

Due to the nature of the waterway at this location—the waterway at this location effectively behaves like an eddy, resulting in spills and debris caused by other outside of our facility to collect in the area—some oil and fuel has been detected in the area that did not originate from Manson Construction Co.'s vessels or activities. The Coast Guard has documented this and Manson Construction Co. can make such documentation available for review upon request.

h. Provide any site drainage descriptions, plans or maps that include information about storm drainage which includes, but is not limited to, above or below surface piping, ditches, catch basins, manholes, and treatment/detention or related structures including outfalls. If available, also include information about connections to sanitary sewer.

There are no known storm drainage structures at Manson Construction Co.'s portion of the property in question; however, there may be a stormwater drain at the Cadman yard. All of Manson Construction Co.'s paved surfaces drain to gravel areas that do not run off to the waterway. The dock slopes inland so that any collected stormwater runs off into gravel areas, not the waterway. There are no drains from the office building that run into the water. The majority of the property is unpaved and none of the areas that are paved run off into the waterway. The building is connected to the sanitary sewer, but no specific information is available.

i. With respect to past site activities, please provide copies of any stormwater or drainage studies, including data from sampling, conducted at these properties. Also provide copies of any Stormwater Pollution Prevention or Maintenance Plans or Spill Plans that may have been developed for different operations during the Respondent's occupation of the property.

Please see above response. There are no known storm drainage structures at Manson Construction Co.'s portion of the property.

Please see the Environmental Site Assessment of the Duwamish Waterway Properties by Boateng & Associates, Inc. attached as "Exhibit 2.a," for information on data from sampling.

3. Information About Others

a. Provide the names and last known address of any tenants or lessees, the dates of their tenancy and a brief description of the activities they conducted while operating on the above mentioned site.

Cadman, Inc. has been subleasing a portion of the property located at 5209 E. Marginal Way S. since February of 1987. Cadman, Inc. operates a cement distribution terminal and redimix facility on the property.

The Environmental Site Assessment of the Duwamish Waterway Properties by Boateng & Associates, Inc. attached as "Exhibit 2.a," identifies various past tenants but does include these business's contact information. The previous tenants listed are: Hemrich Brewing Company, Western Engineering Corporation, Seattle Boiler Works, Seattle Export Lumber and Convoy Company. The previous tenants used this property for variety of industrial activities, including pole and lumber storage including the use of creosote vats onsite until 1949, brewing and bottling beer, boilers, lumber transport, automobile transport, vehicle service including gasoline and waste oil underground storage tanks, and trucking services. The addresses and current status of these companies are unknown to Manson Construction Co.

b. If not already provided, identify and provide a last known address or phone number for all persons, including Respondent's current and former employees or agents, other than attorneys, who have knowledge or information about the generation, use, purchase, storage, disposal, placement, or other handling of hazardous materials at, or transportation of hazardous materials to or from, the Site.

Please refer to the names listed in section 1.b of this response.

4. Financial Information

a. Provide true and complete copies of all federal income tax documents, including all supporting schedules, for 2002, 2003, 2004, 2005, 2006 and 2007. Provide the federal Tax Identification Number and, if documentation is not available, explain why in detail.

Please see the Federal Income Tax Documents attached as "Exhibit 4.a." Complete copies of these documents will be made available for review upon request.

b. Provide the Respondent's financial interest in, control of, or that the Respondent is a beneficiary of any assets (in the U.S. or in another country) that have not been identified in your federal tax returns or other financial information to be presented to EP A. If there are such assets, please identify each asset by type of asset, estimated value, and location.

N/A

c. If Respondent is, or was at any time, a subsidiary of, otherwise owned or controlled by, or otherwise affiliated with another corporation or entity, then describe the full nature of each such corporate relationship, including but not limited to:

i. a general statement of the nature of relationship, indicating whether or not the affiliated entity had, or exercised, any degree of control over the daily operations or decision-making of the Respondent's business operations at the Site;

N/A

ii. the dates such relationship existed;

N/A

iii. the percentage of ownership of Respondent that is held by such other entity(ies);

N/A

iv. for each such affiliated entity provide the names and complete addresses of its parent, subsidiary, and otherwise affiliated entities, as well as the names and addresses of each such affiliated entity's officers, directors, partners, trustees, beneficiaries, and/or shareholders owning more than five percent of that affiliated entity's stock;

N/A

v. provide any and all insurance policies for such affiliated entity(ies) which may possibly cover the liabilities of the Respondent at the Site; and

N/A

vi. provide any and all corporate financial information of such affiliated entities, including but not limited to total revenue or total sales, net income, depreciation, total assets and total current assets, total liabilities and total current liabilities, net working capital (or net current assets), and net worth.

N/A

5. Insurance Coverage

a. Provide copies of all property, casualty and/or liability insurance policies, and any other insurance contracts referencing the site or facility and/or Respondent's business operations (including, but not limited to, Comprehensive General Liability, Environmental Impairment Liability, Pollution Legal Liability, Cleanup Cost Cap or Stop Loss Policies). Include, without limitation, all primary, excess, and umbrella policies which could be applicable to costs of environmental investigation and/or cleanup, and include the years such policies were in effect.

Please see a list of Manson Construction Co.'s Insurance Policies dating from 1958 to 2008 attached as "Exhibit 5.a." Manson Construction Co. will make the full copies of these documents available for review upon request.

b. If there are any such policies from question "5.a" above which existed, but for which copies are not available, identify each such policy by providing as much of the following information as possible:

i. the name and address of each insurer and of the insured;

N/A

ii. the type of policy and policy numbers;

N/A

iii. the per occurrence policy limits of each policy; and
N/A

iv. the effective dates for each policy
N/A

c. Identify all insurance brokers or agents who placed insurance for the Respondent at any time during the period being investigated, as identified at the beginning of this request, and identify the time period during which such broker or agent acted in this regard.

Manson Construction Co.'s broker from 1976 to present:

Gary Stone, CPCU, ARM
Senior Vice President
Brown & Brown of Washington, Inc.
2101 Fourth Avenue, #600
Seattle, WA 98124-0347
1-800-755-6470
206-956-1645 voice
206-956-9600 fax

d. Identify all communication and provide all documents that evidence, refer, or relate to claims made by or on behalf of the Respondent under any insurance policy in connection with the site. Include any responses from the insurer with respect to any claims.

Please see "Exhibit 5.d" Claims.

e. Identify any previous settlements with any insurer in connection with the site, or for any claims for environmental liabilities during the time period under investigation. Include any policies surrendered or cancelled by the Respondent or insurer.

N/A

f. Identify any and all insurance, accounts paid or accounting files that identify Respondent's insurance policies.

Please refer to the list of Manson Construction Co.'s Insurance Policies dating from 1958 to 2008 attached as "Exhibit 5.a."

g. Identify Respondent's policy with respect to document retention.

During the normal course of business it is Manson Construction Co.'s practice to retain documents for a period of ten years with the exception of certain documents which are required by state and/or federal law to be retained for more than ten years.

6. Compliance with This Request.

a. Describe all sources reviewed or consulted in responding to this request, including, but not limited to:

i. the name and current job title of all individuals consulted;

Please refer to the names listed in section 1.b of this response.

ii. the location where all documents reviewed are currently kept.

All documents reviewed in responding to this request have been attached as exhibits to this response, with the exception of certain insurance and financial documents which are too voluminous in nature to submit and these documents are stored at the addresses below:

Manson Construction Co.
5209 East Marginal Way South
Seattle WA 98134

Brown & Brown of Washington, Inc.
2101 Fourth Avenue, #600
Seattle, WA 98124-0347

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